

REMARKS

This paper is being filed as a response to the Office Action of August 18, 2009.

Reconsideration is respectfully requested in view of these clarifying remarks.

Rejections under 35 USC § 102

Claims 1-19, 21-23, and 25-37 have been rejected under 35 U.S.C. 102(e) as being anticipated by Sutton et al. (U.S. Patent No. 6,539,354). This rejection is respectfully traversed.

Claim 1 specifies that the altering includes converting an audio component of the content data to text data. The Office has asserted that Sutton teaches this feature in Figures 6, 7, and 10; column 16, line 50-column 18, line 8; and column 20, lines 12-67. Applicant respectfully disagrees.

Sutton is silent with respect to converting an audio component to text. Figure 6 of Sutton shows text 2A as the input, but no conversion **to text**. Further, Figure 7 shows voice 2B as the input, and different operations performed on voice, but none of them involves converting the voice to text. Further yet, Figure 10 shows step 210 “input text and/or voice” (emphasis added). However, there is no conversion of audio to text in any of the steps in Figure 10 either. Thus, for all these reasons, Sutton does not teach converting an audio component of the content data to text data, as claimed by Applicant.

Nevertheless, in the spirit of expediting the prosecution of the present application, Applicant has amended independent claims 1, 10, 22, 30, and 37 to further distinguish Applicant’s claim language from the above reference to specify that the converting and audio

component of the content data to text data is performed through a voice recognition process. Sutton teaches that “[t]he speech recognition routine determines probable phonemes for the voice input” (col. 3, lines 48-50). Sutton also teaches in Figure 7 that the output of Speech Recognizer 10B is viseme identifier 20. However, Sutton does not teach voice recognition that converts to **text**. Thus, Sutton does not teach that the converting and audio component of the content data to text data is performed through a voice recognition process.

Additionally, claim 10 defines determining a relative location of each character in an environment defined by the program, and altering the specific output characteristics of the audio output depending upon the relative location of each character associated with each of the users. The Office has asserted that claim 10 has been rejected “for the same reasons set forth to rejecting claims 1-9 and 11-13” (page 6, item #15). Applicant respectfully disagrees.

Neither of the claims 1-9 and 11-13 specify a relative location nor altering the output characteristics upon the relative locations of each character. Thus, the Office has not described how these features in claim 10 are taught by the prior art, and claim 10 is believed to be patentable for at least this reason.

Dependent claim 3 specifies that the content data output characteristics include location information of the first and second computers, where the location information affects the altering of the content data. The Office has asserted that this feature is taught by Sutton in Figures 1 and 5A; col. 7, lines 41-59; and col. 16, lines 12-34. Applicant respectfully disagrees.

Applicant respectfully asserts that there is no mention of location information of the first and second computers in any of the references cited by the Office. Thus, Sutton does not teach the mentioned features.

Independent claims 10, 14, 22, 30, 32, and 37 are believed to be patentable for at least the same reasons described above in reference to claim 1. In view of the foregoing, the Office is requested to withdraw the rejection of claims 1, 3, 10, 14, 22, 30, 32, and 37 under §102, as not all elements are taught by Sutton. The remaining dependent claims are submitted to be patentable for at least the same reasons that the independent claims are believed to be patentable. The Applicants therefore respectfully request reconsideration and allowance of the pending claims. A Notice of Allowance is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6920. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SONYP009).

Respectfully submitted,
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